

# DRAFT

11/22/2005

## Minutes

**Rail Advisory Board Meeting**  
**Virginia Department of Game and Inland Fisheries**  
**4100 W. Broad Street**  
**Board Meeting Room**  
**Richmond, VA 23230**

**November 3, 2005**

**Note:** *The following are summary minutes. The complete audio of the meeting is available upon request.*

**Members present:** Richard L. Beadles, David A. Brown II, Sharon Bulova, Trenton G. Crewe, Jr., Dwight L. Farmer, Wiley F. Mitchell, Jr., Honorable Jack Quinn, Peter J. Shultz, and Hunter R. Watson.

The meeting was called to order at 10:05 a.m. by Sharon Bulova, interim chair. She complemented the staff on the wonderful job of putting together the matrix of applications received for consideration.

### **Adoption of today's meeting agenda**

A motion to accept the agenda of the November 3, 2005 meeting was made by Peter Studtz, seconded by Wiley Mitchell and was unanimously approved by the RAB members.

### **Adoption of minutes**

A motion to accept the minutes of the October 13, 2005 meeting was made by Jack Quinn, seconded by Dwight Farmer and was unanimously approved by the RAB members.

### **Public Comment**

Due to the nature of the meeting's business, the Public Comment period was moved to after the application presentation and after the Board had received the project ranking set up by Karen Rae and her staff. There were seven speakers signed up to speak before the meeting began.

There was no voting on that day. After the lunch break there was further discussion of the project applications. The voting on the rankings will be at the meeting on November 30.

Ms. Bulova introduced John Beall of the Attorney General's office, who was sitting in for Rick Walton. Some members of the RAB had questions about voting and conflict of interest.

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## **Presentation of Applications - Disclosure**

Ms. Rae began by thanking the staff for the “yeoman’s work” in preparing the 25 applications received by DRPT for funding under the Rail Enhancement Program by the October 21<sup>st</sup> deadline.

Members of the Board were referred to the Disclosure Form in their packets. The best tool would be to disclose any relationship up front and for DRPT to have that document on file. Mr. Beall was asked for his input.

Mr. Beall suggested that if anyone thought there might be a conflict, that they should disclose now and fill out the paperwork later. That way everything is out and open.

Ms. Bulova said that an easy way to handle it would be for each member to disclose at the beginning of the meeting and then proceed with discussion. This was done by each member in turn.

Jack Quinn expressed his thanks on behalf the Board to the Rail Staff on preparing the information for the meeting in a short period of time. Ms. Bulova expressed her thanks to the DRPT staff for their work.

## **Presentation of Applications**

Ms. Rae directed the members of the Board to the notebooks in front of them. These notebooks contained full copies of each application received by October 21 including support letters. There also was a chart in each book reflecting the applications received.

Under Section 3 in the Board packets was a summary of the applications in the order received, not in any priority order.

‘Thumbnail sketches’ of each application, including issues raised by the staff, were presented for review. The PowerPoint presentation is available from the DRPT website. ([www.DRPT.Virginia.gov](http://www.DRPT.Virginia.gov))

Representatives of the applicants as well as staff were present to answer questions or give more detail on each application.

DRPT has not completed the Cost/Benefit review for the projects. The review is well under way and the agency is confident anything recommended will meet the Cost/Benefit requirement.

At the end of the day, DRPT will recommend Tier I projects – ones that are ready to go, with a strong commitment for the non-state share; Tier II just need some additional information/clarification or are not scheduled for completion until 2007-08. The Tier III projects are ones the agency thinks should be removed from consideration at this time.

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After the presentation, copies of the three tiers were distributed and the Board began discussion of the process and projects. Secretary Pierce Homer had asked Ms. Rae if there was anything that jumped out as not coming in and being on the list. On Tier I, the EIS with North Carolina on the High Speed Rail Corridor Study (missing piece – Petersburg to Richmond) begs consideration of the state's role in the application process. This does not fit neatly into an application process, but is part of the strategic needs for rail. Wiley Mitchell pointed out that the legislation does not constrain the Board to consider only applications.

The balance of the Tier I projects, as well as the Tier II and Tier III projects and the rationales for the rankings were then presented.

There was an interactive discussion about the merits and benefits of the projects as presented by the staff.

## **Public Comment**

The initial seven speakers presented their comments on the applications. These were: Jim Hertwig/CSX, Rob Martínez/NS, Cary Booth/NS, Sarah Corey/NS, John Thompson/Virginians for High Speed Rail, Griff Lynch/APM Terminals, and Barbara Hartley/Trans Dominion Express. Chairman Bulova added Adam Frankel/Commonwealth Railway, who arrived after the meeting began and wished to address the Board in relation to one of the applications.

## **Conflict of Interest Discussion**

The Board further discussed the need for clarification of the statute in relation to advisory board activities. Chairman Bulova and Mr. Mitchell suggested the General Assembly be asked to amend the law to address this type of board.

## **Confirm general agenda items for November 30, 2005 meeting at the Science Museum of Virginia (10am – 4pm)**

Chairman Bulova wanted to make it clear to the members of the Board that in addition to voting on the Program of projects in the morning, the Board will be having its Strategic Planning Workshop in the afternoon and electing the permanent Chair of the Rail Advisory Board for a one year term. A nominating committee of Hunter Watson and Sharon Bulova was created to nominate a chair and vice-chair.

The meeting was adjourned at 2:25 pm.